

**Tom Lindley, OSB No. 85060;** tlindley@perkinscoie.com  
**Jeffrey C. Dobbins, OSB No. 02042;** jdobbins@perkinscoie.com  
**Lynne Paretchan, OSB No. 02593;** lparetchan@perkinscoie.com  
PERKINS COIE LLP  
1120 NW Couch Street, 10<sup>th</sup> Floor  
Portland, OR 97209-4128  
Telephone: (503) 727-2000  
Facsimile: (503) 727-2222  
Attorneys for Defendant

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

**NORTHWEST ENVIRONMENTAL  
DEFENSE CENTER**, a non-profit corporation,  
**OREGON CENTER FOR  
ENVIRONMENTAL HEALTH**, a non-profit  
corporation, and **SIERRA CLUB**, a non-profit  
corporation,

Plaintiffs,

v.

**OWENS CORNING CORPORATION,**  
Defendant.

NO. CV 04-1727-JE

**MOTION FOR PROTECTIVE ORDER**  
by Defendant Owens Corning Corp.

Pursuant to Fed. R. Civ. P. 26(c)

ORAL ARGUMENT REQUESTED

**CERTIFICATION OF COUNSEL**

Pursuant to Local Rule 7.1 and Fed. R. Civ. P. 26(c), counsel have conferred in good faith in an effort to resolve this dispute without the Court's intervention, and have been unable to do so. In addition, defendants have permitted plaintiffs to review *in camera* the responsive documents that are currently the subject of this motion, and the parties have worked to reduce the scope of documents subject to the motion. Plaintiffs have indicated their opposition to certain

**1- MOTION FOR PROTECTIVE ORDER**

[29641-0010/PA052360.058]

**Perkins Coie LLP**  
1120 N.W. Couch Street, Tenth Floor  
Portland, OR 97209-4128  
Phone: (503) 727-2000  
Fax: (503) 727-2222

terms in the example protective order, attached as Exhibit A to the proposed order, but have expressed their belief that the parties could reach agreement on the specific terms of a protective order if the Court grants the instant motion.

**MOTION**

In order to protect trade secret and confidential information that is responsive to plaintiffs' requests for production, Defendant Owens Corning respectfully moves this Court pursuant to Fed. R. Civ. P. 26(c)(7) for the entry of a protective order ensuring that certain Owens Corning trade secrets and confidential research and commercial information, as further described in the below order, not be revealed by plaintiffs except under the terms of an order substantially similar to the exhibit accompanying the proposed order. Information protected under this order would include plant- and line-specific information about manufacturing processes, costs, and efficiencies at Owens Corning's other extruded polystyrene foam manufacturing facilities, as well as information regarding Owens Corning's research into alternative blowing agents and processes, and underlying confidential permit applications relating to such research.

Owens Corning reserves the right to request attorney fees and costs for this motion pursuant to Fed. R. Civ. P. 26(c) and 37(a)(4).

DATED: August 26, 2005

**PERKINS COIE LLP**

By s/ Jeffrey C. Dobbins

Tom Lindley, OSB No. 85060

Lynne Parechan, OSB No. 02593

Jeffrey C. Dobbins, OSB No. 02042

Attorneys for Defendant Owens Corning Corporation

**2- MOTION FOR PROTECTIVE ORDER**

[29641-0010/PA052360.058]

**Perkins Coie LLP**  
1120 N.W. Couch Street, Tenth Floor  
Portland, OR 97209-4128  
Phone: (503) 727-2000  
Fax: (503) 727-2222